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Remarks

This Amendment is responsive to the Office Action dated November 7, 2006.  
Claims 1-6 remain for consideration.

1. Claims 3 and 6 are objected to because of confusion over switches. These switches have been named first and second switches so as to cause the claims to be clear, in the manner which the Examiner correctly assumed. Therefore, withdrawal of the objection to claims 3 and 6 relating to switches is respectfully requested.

2. Claim 6 is objected to for lack of antecedence. These have been provided, so withdrawal of the objection to claim 6 relating to antecedence is respectfully requested.

3-8. Claims 1 and 2 are rejected as obvious over Small in view of Jungreis et al (Jungreis). Herewith is the Declaration of Wesley E. Sedlecek, Jr. In paragraph D, the Declaration establishes as prima facie fact that Small does not have a storage device and DC/AC converter combination connectable to three-phase power lines "to augment the response...to transients on said lines." Thus, the principal reference has been shown by prima facie fact to not teach the portion of claim 1 ascribed to it.

Paragraph E of the Declaration establishes as prima facie fact that Jungreis teaches a fuel cell/inverter combination to be equivalent to high and low speed synchronous and induction generators, and having no hint at an equivalency to the AC mains of Small.

Paragraph F of the Declaration establishes, in the light of the foregoing facts, that claims 1 and 2 would not be suggested by Small in view of Jungreis. Therefore, reconsideration and allowance of claims 1 and 2 over Small and Jungreis is respectfully requested.

9-16. Claim 3 is rejected as obvious over Small in view of Jungreis in further view of Cratty and Carter et al (Carter). Paragraph G of the Declaration establishes as prima facie fact that the fuel cell/converter 102 of Cratty can only be connected to one set of lines 111, which are the path to the grid. There are no other lines that it could be connected to. Paragraphs H and I of the Declaration establish as prima facie fact that Carter discloses switches 24 that will provide power only to the battery 38 and the inverter 40, not transfer power from them, because the rectifier 26 of Carter is just that, not a bi-directional device.

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Paragraph J establishes as prima facie fact that one skilled in the art of fuel cells and related electronics would not be motivated to provide a converter switchable between load lines and a grid in view of Cratty and Carter.

Paragraph K of the Declaration establishes as prima facie fact that the references would not suggest to one of ordinary skill in the art to provide the switching arrangement of claim 3. Therefore, reconsideration and allowance of claim 3 over the four references is respectfully requested.


17-22. Claims 4 and 6 are rejected as obvious over the four preceding references in further view of Hochgraf et al. Claims 4 and 6 depend from claim 1 which is shown hereinbefore to not be suggested by the prior art. Therefore, reconsideration and allowance of claims 4 and 6 is respectfully requested.

23-27. Claim 5 is rejected over all the foregoing references in further view of Early et al. Claim 5 depends from claim 1 which is shown hereinbefore to not be suggested by the prior art. Therefore, reconsideration and allowance of claim 5 is respectfully requested.

28. It is agreed that the prior art of record not relied upon does not suggest the claimed invention.

29-31. To save the Examiner considerable time when this case is taken up, a short phone call is recommended should any issue herein still be unresolved. A few minutes on the phone could clarify a point, or result in a supplemental response which would further limit or dispose of issues. A five minute phone call can save the Examiner a lot of work. Such a phone call would be deeply appreciated.

Respectfully submitted,



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